22. (NEW) The method of claim 12 wherein determining that the issuing bank data is not in a set of set of issuing bank data that would prohibit the generation of the substitute draft comprises determining that no issuing bank would prohibit the generation of the substitute draft prior to receiving the retrieval request.

23. (NEW) The method of claim 13 wherein determining that the bank card agency data is not in a set of set of bank card agency data that would prohibit the generation of the substitute draft comprises determining that no bank card agency would prohibit the generation of the substitute draft prior to receiving the retrieval request.

24. (NEW) The method of claim 14 wherein determining that the transaction amount data is not in a set of set of transaction amount data that would prohibit the generation of the substitute draft is performed prior to receiving the retrieval request.

25. (NEW) The method of claim 15 wherein determining that the card user data is not in a set of set of card user data that would prohibit the generation of the substitute draft is performed prior to receiving the retrieval request.

REMARKS

Claims 1 through 20 are presently pending. In the office action mailed May 14, 2002 (Paper No. 3), claims 1, 2, 4 through 10, and 16 through 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,479,530 granted to Nair et al. (hereinafter
5 "*Nair*"). Claims 11 through 15 were rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Applicants appreciate the indication by the Examiner that claims 3 and 20 are allowable without substantive modification, and that claims 11 through 15 would be allowable without substantive modification if amended to overcome the rejection under 35
10 U.S.C. § 112.

Claims 3, 8 through 10, and 20 have been cancelled without prejudice or disclaimer.

Claim 1 has been amended to rewrite claim 3 in independent form to include all of the limitations of the base claim and any intervening claims.

Claims 2 and 4 through 7 are allowable for at least the reasons that they depend from an allowable base claim and add limitations not found in the prior art.

5   Claims 8 through 10 have been cancelled without prejudice or disclaimer.

Claims 11 through 15 have each been rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claims 11 through 15 have each been amended to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

10   Claim 16 has been amended to rewrite claim 20 in independent form to include all of the limitations of the base claim and any intervening claims.

Claims 17 through 19 are allowable for at least the reasons that they depend from an allowable base claim and add limitations not found in the prior art.

New claims 21 through 25 have been submitted for examination. and are

15   allowable for at least the reasons that they each depend from an allowable base claim and add limitations to the respective base claim not found in the prior art.

CONCLUSION

In view of the foregoing remarks and for various other reasons readily apparent. Applicants submit that all of the claims now present are allowable. and withdrawal of the

20   rejections and a Notice of Allowance are courteously solicited.

If any impediment to the allowance of the claims remains after consideration of this amendment, and such impediment could be alleviated during a telephone interview. the Examiner is invited to telephone the undersigned at (214) 969-4669 so that such issues may be resolved as expeditiously as possible.
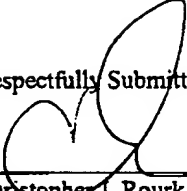
25   A check for four additional independent claims in the amount of $336.00. If any applicable fee or refund has been overlooked. the Commissioner is hereby authorized to charge

any fee or credit any refund to the deposit account of Akin, Gump, Strauss, Hauer & Feld, L.L.P., No. 01-0657.

Respectfully Submitted.

Date: _____

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CLAIMS AS AMENDED AND SHOWING CHANGES MADE

1. (AMENDED) A system for processing transaction data comprising.

a substitute draft system operable to receive a retrieval request and to generate a substitute draft in response to the retrieval request; [and]

a merchant interface coupled to the substitute draft system, the merchant interface operable to generate a merchant request in response to the retrieval request; and

a mediation charge system coupled to the merchant interface, the mediation charge system operable to receive a mediation charge and to generate a merchant mediation charge if no response has been received to the merchant request.

11. (AMENDED) [The method of claim 8 wherein generating a substitute draft in response to the retrieval request comprises generating the substitute draft if it is determined that a retrieval request code does not prohibit the generation of the substitute draft]A method for processing a retrieval request comprising:

receiving the retrieval request;

generating the substitute draft if it is determined that a retrieval request code is not in a set of retrieval requests codes that would prohibit the generation of the substitute draft; and

generating a merchant request in response to the retrieval request.

12. (AMENDED) A method for processing a retrieval request comprising:

receiving the retrieval request;

generating the substitute draft if it is determined that issuing bank data is not in a set of issuing bank data that would prohibit the generation of the substitute draft; and

generating a merchant request in response to the retrieval request.

[The method of claim 8 wherein generating a substitute draft in response to the retrieval request comprises generating the substitute draft if it is determined that issuing bank data does not prohibit the generation of the substitute draft].

13. (AMENDED) [The method of claim 8 wherein generating a substitute draft in response to the retrieval request comprises generating the substitute draft if it is determined that bank card agency data does not prohibit the generation of the substitute draft]A method for processing a retrieval request comprising:

receiving the retrieval request;

generating the substitute draft if it is determined that bank card agency data is not in a set of bank card agency data that would prohibit the generation of the substitute draft; and

generating a merchant request in response to the retrieval request.

14. (AMENDED) [The method of claim 8 wherein generating a substitute draft in response to the retrieval request comprises generating the substitute draft if it is determined that transaction amount data does not prohibit the generation of the substitute draft]A method for processing a retrieval request comprising:

receiving the retrieval request;

generating the substitute draft if it is determined that transaction amount data is not in a set of transaction amount data that would prohibit the generation of the substitute draft; and

generating a merchant request in response to the retrieval request.

15. (AMENDED) [The method of claim 8 wherein generating a substitute draft in response to the retrieval request comprises generating the substitute draft if it is determined that card user data does not prohibit the generation of the substitute draft]A method for processing a retrieval request comprising:

receiving the retrieval request;

generating the substitute draft if it is determined that card user data is not in a set of card user data that would prohibit the generation of the substitute draft; and

generating a merchant request in response to the retrieval request.

16.   (AMENDED) A system for processing transaction data comprising:

a bank system operable to generate a retrieval request in response to user-entered data:

a bank card system coupled to the bank system. the bank card system operable to receive the retrieval request from the bank system;

a transaction system coupled to the bank card system, the transaction system operable to receive the retrieval request from the bank card system and to generate a substitute draft and a merchant request in response to the retrieval request, **the transaction system is operable to assess a mediation charge against the merchant system if the merchant system has not generated sales draft data in response to the merchant request**; and

a merchant system coupled to the merchant interface. the merchant system operable to receive the merchant request and to generate sales draft data in response to the merchant request.

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